

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEXTER E. DALE,

Plaintiff,

v.

L. FERNANDEZ and L. LOUGH,

Defendants.

No. C 05-01842 JSW

**ORDER DENYING PLAINTIFF'S
MOTION FOR LEAVE TO
EXTEND DISCOVERY AND
AMEND SCHEDULING ORDER**

This matter comes before the Court upon consideration of the motion for leave to extend discovery and amend the scheduling order, filed by Plaintiff Dexter E. Dale ("Dale"). The matter is now ripe for decision. The Court has considered the parties' papers, relevant legal authority, and the record in this case, and it finds the matter suitable for disposition without oral argument. *See* N.D. Civ. L.R. 7-1(b). The Court HEREBY DENIES Dale's motion.

Dale moved for an extension of the discovery deadlines in part because the parties had been unable to schedule certain depositions. That issue was resolved by stipulation. (*See* Docket No. 68.) The deadline to complete discovery was March 1, 2012, and the deadline to complete expert discovery is April 1, 2012. Although Defendants oppose Dale's motion on the basis that he seeks to extend discovery for an unlimited period of time, that is not the case. Dale asks that the Court extend fact discovery by approximately two months and expert discovery by approximately one month, until May 4, 2012. However, the Court concludes that Dale has not met his burden to show good cause for extending these deadlines.

1 The parties will have completed the depositions that precipitated the filing of the motion
2 by March 9, 2012, and, thus, Dale will have at least three weeks before expert discovery is
3 closed to have his expert review the materials.

4 Accordingly, the Court DENIES the motion.

5 **IT IS SO ORDERED.**

6
7 Dated: March 8, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE